

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

PATRICIA K. GREEN-SIMPSON,)
)
Plaintiff,)
)
v.) CASE NO.
)
FIRST CHOICE HOUSING, LLC,)
)
Defendant.)

COMPLAINT

COMES NOW Plaintiff, by counsel, and alleges against Defendant that:

1. The Plaintiff is Patricia K. Green-Simpson, a female citizen of the United States currently residing in Fort Wayne, who at all times relevant to this Complaint worked for the Defendant at its Fort Wayne, Allen County, Indiana office, located at 1105 Broadway, Fort Wayne, Indiana 46802. The Plaintiff is an “Employee” for the purposes of Title VII.
2. The Defendant, First Choice Housing, LLC is an Indiana limited liability corporation. Its headquarters is located at 1240 W Rudisill Blvd, Fort Wayne, Allen County, Indiana. Its registered agent is John H. Lindsay, 4702 Indiana Avenue, Fort Wayne, Indiana 46807. The Defendant is an “Employer” for the purposes of Title VII and 42 U.S.C. § 1981.
3. Plaintiff filed a Charge of Discrimination with the Equal Employment Opportunity Commission, Charge No. 470-2020-00143 on or about January 23, 2019. A copy of that charge is attached hereto, and incorporated herein as “Exhibit A”. Plaintiff received notice of her right to sue on or about December 5, 2019. A copy of the

notice is attached hereto, and incorporated herein as "Exhibit B". This Complaint has been timely filed within 90 days after receipt of the notice.

4. The relevant facts are that Plaintiff worked for Defendant from on or about April 23, 2018, until she was ultimately terminated on October 15, 2018.
5. Plaintiff worked for the Defendant as a Property Manager until she was discharged for a false and pre-textual reason.
6. Plaintiff learned that after she was terminated, she was replaced by a white female. Plaintiff contends that she was discriminated against on the basis of her race (African American/black) in violation of Title VII and 42 U.S.C. § 1981.
7. Plaintiff also learned that a male employee was receiving a \$100 bonus for each "move-in", whereas the Plaintiff, a female, had never received a "move-in" bonus despite having more experience and longer tenure than the male employee. Plaintiff therefore contends that she was also discriminated against on the basis of her sex (female) in violation of Title VII.
8. During her employment with the Defendant, Plaintiff began to notice discrepancies in the expenses and overcharges that were being made to investors of the Defendant. On one occasion, a co-worker provided the Plaintiff with a screen shot of a conversation, in which Jason Lindsey - bragged about charging an investor \$9,000, then getting the work done for \$3,300, and keeping the difference.
9. The investors themselves had also begun to have concerns and questions, and on or about October 9, 2018 they had a meeting at which Plaintiff was present. The investors had arrived at their concerns independently of Plaintiff, but one investor

“Jorge” went to lunch with Plaintiff after the meeting. Plaintiff did advise the investor that he should closely check his invoices but said nothing additional.

10. The Plaintiff was later accused by Jason Lindsey of “selling them out” to the investors for their overcharging practices. Plaintiff denied having “sold them out” but did acknowledge that she knew of the fraudulent over-charging practices that had occurred.
11. On October 15, 2019 the Plaintiff was accused of having someone alter her calendar – to indicate she was somewhere, when in fact she was not at that location. Plaintiff denied doing any such thing.
12. Plaintiff later learned that an employee, Haley Gorley, was asked to sign a statement stating she had changed the Plaintiff’s calendar, and after agreeing to sign the document, was subsequently given a raise.
13. After she had been terminated, Plaintiff received a letter from the Defendant’s attorney, claiming that she was somehow contacting tenants and telling them not to pay their rent. This was false, as Plaintiff no longer had any of the tenant contact information, nor did she have any reason to tell them not to pay rent. Plaintiff contends this letter was an attempt to harass the Plaintiff and to prevent her from disclosing further the fraudulent over-charges made to the investors of Defendant.
14. Plaintiff contends that she was discriminated against based on her sex (female) in violation of Title VII. Additionally, because Plaintiff knew about fraudulent charging practices, and over-charges made to the Investors, the Plaintiff, contends

that she was retaliated against for not wanting to participate in a fraudulent and potential illegal activity.

15. Plaintiff further alleges that Defendant's proffered reason for her termination were false, based on falsified evidence and were pretextual, and that the real reason she was terminated was for reporting the fraudulent over-charging behavior to the management, and for complaining about not receiving the same move-in bonuses as paid to a male employee, who had both less experience and tenure.
16. As a direct and proximate result of Defendant's discriminatory and retaliatory conduct, and Defendant's continued harassment of Plaintiff, Plaintiff has suffered economic damages, mental anguish, emotional distress, humiliation, inconvenience, pain, and other similar damages and injuries.

WHEREFORE, Plaintiff prays for judgment against the Defendant for all compensatory damages (including back pay and front pay), punitive damages, declaratory and injunctive relief (that Defendant's actions were in violation of Title VII, reasonable attorney fees and costs, and any and all equitable and legal relief available under Title VII and 42 U.S.C. § 2000e *et seq.*, and the state laws of Indiana.

JURY DEMAND

Pursuant to Rule 38 of the Indiana Rules of Trial Procedure, Plaintiff demands a trial by jury in this action.

Respectfully submitted,

CHRISTOPHER C. MYERS & ASSOCIATES

/s/ Christopher C. Myers

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